

Message Text

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PAGE 01 STATE 304855

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FM SECSTATE WASHDC

TO AMEMBASSY KUWAIT

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E.O. 11652: N/A

TAGS: AMGT, APER, MASS, KU

SUBJECT: DIPLOMATIC TITLES FOR KUWAITI LIAISON OFFICE

REF: KUWAIT 5160

1. AS EMBASSY PREDICTED, KUWAITI EMBASSY, WASHINGTON HAS REQUESTED FULL DIPLOMATIC PRIVILEGES FOR THE COMPLETE KUWAITI MILITARY LIAISON STAFF AT WASHINGTON EMBASSY. REQUEST WAS TRANSMITTED TO DEPARTMENT BY DIPLOMATIC NOTE WITH LIST OF NAMES OF FOUR ENLISTED MEN AND TWO OFFICERS COMPOSING LIAISON OFFICE AS AN ATTACHMENT. KUWAITIS SPECIFICALLY REQUESTED THAT PRIVILEGES BE GRANTED WITHOUT LISTING LIASON OFFICE MEMBERS ON THE DIPLOMATIC LIST.

2. IN A FEW DAYS, WE WILL BE TRANSMITTING THE FOLLOWING REPLY BY DIPLOMATIC NOTE TO THE KUWAITI EMBASSY:

BEGIN TEXT: THE DEPARTMENT REGRETS THAT IT IS UNABLE TO AGREE IN ALL RESPECTS TO THE EMBASSY'S REQUEST, SINCE IT FOLLOWS THE PRACTICE OF INCLUDING ALL PERSONS

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PAGE 02 STATE 304855

DERIVING PRIVILEGES AND IMMUNITIES THROUGH ATTACHMENT TO

DIPLOMATIC MISSIONS EITHER IN THE DIPLOMATIC LIST
OR THE COMPANION PUBLICATION, EMPLOYEES OF DIPLOMATIC
MISSIONS. THIS PRACTICE IS NECESSARY TO MEET THE NEED

OF STATE AND LOCAL LAW ENFORCEMENT OFFICIALS THROUGHOUT
THE COUNTRY FOR AUTHORITATIVE SOURCES TO WHICH TO TURN
WHEN THEY MUST VERIFY THE EXISTENCE OR ABSENCE OF
DIPLOMATIC IMMUNITY.

THE DEPARTMENT OF STATE ACCORDINGLY PROPOSES TO GRANT
FULL DIPLOMATIC PRIVILEGES AND IMMUNITIES TO ALL
MILITARY COMMISSIONED OFFICERS ASSIGNED TO THE MILITARY
LIASON OFFICE OF THE EMBASSY OF THE STATE OF KUWAIT AND
TO INCLUDE THEM IN THE DIPLOMATIC LIST. NONCOMMISSIONED
OFFICERS AND OTHER MILITARY ENLISTED PERSONNEL WHO MAY BE
ASSIGNED TO THE EMBASSY IN A SUPPORT ROLE WILL RECEIVE
PRIVILEGES AND IMMUNITIES ENJOYED BY MEMBERS OF THE
ADMINISTRATIVE AND TECHNICAL STAFF OF THE MISSION AND WILL
BE INCLUDED IN THE PREVIOUSLY MENTIONED LIST, EMPLOYEES
OF DIPLOMATIC MISSIONS. END TEXT.

3. EMBASSY WILL NOTE THAT DEPARTMENT IS PROPOSING TO
RESTRICT IMMUNITIES OF KUWAIT MILITARY ENLISTED
PERSONNEL TO THOSE ACCORDED EMBASSY ADMINISTRATIVE STAFF.
THIS SEEMED APPROPRIATE TO THEIR DUTIES AT THE EMBASSY
AND KUWAITI PRACTICE FOR OUR MILITARY UNDER USLOK
AGREEMENT. EMBASSY IS CORRECT IN IMPRESSION DEPARTMENT
UNABLE TO GRANT ANY DIPLOMATIC PRIVILEGES TO KUWAITI
MILITARY SERVING OUTSIDE OF WASHINGTON, D.C.

4. DEPARTMENT WISHES TO SPECIFICALLY DRAW EMBASSY'S
ATTENTION TO FACT THAT US PRACTICE ON IMMUNITIES FOR
STAFF PERSONNEL IS MORE GENEROUS THAN VIENNA CONVENTION.
OUR INABILITY TO ACCOMMODATE KUWAITIS ON NON-INCLUSION
IN DIPLOMATIC LIST ISSUE IS SELF-EXPLANATORY. WE WILL
CARRY THE TWO OFFICERS AS "ATTACHES", BUT NOT MILITARY
ATTACHES. THIS TACTIC MIGHT LIGHTEN THE BLOW. ROBINSON

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